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July 8, 2002

5...pages including cover sheet.

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Patents

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William P. Ramey III

Intervet, Millsboro  
Patent Department

302 934 4305

RE: USSN 09/813,093  
Attorney Docket Number 2000.688 US PD  
HAUSER ET AL

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PETITIONS OFFICE

Please accept the following document in the above-identified application:

Request for publication of application pursuant to 37 CFR § 1.211 and Petition for Revival for  
otherwise abandoned application pursuant to 37 CFR § 1.137 (b)

Intervet

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## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

BY: J. Meas

Date: 7/8/02

Atty Docket No.: D/2000.688 US PD

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HAUSER ET AL.

Serial No.: 09/813,093

Group Art Unit: 1642

Filed: March 19, 2001

Examiner: To be assigned

For: METHOD FOR PURIFICATION OF MOLECULES USING UNBRANCHED  
TERMINAL ALKYLDIOLS

FAX RECEIVED  
JUL 08 2002  
PETITIONS OFFICE

**REQUEST FOR PUBLICATION OF APPLICATION PURSUANT TO 37 CFR §1.211  
AND PETITION FOR REVIVAL FOR OTHERWISE ABANDONED APPLICATION  
PURSUANT TO § 37 CFR 1.137(B)**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicants respectfully file Request For Publication Of Application Pursuant To 37 CFR §1.211 and Petition For Revival For Otherwise Abandoned Application Pursuant To 37 CFR §1.137(B). Please charge any required fees to deposit account 02-2334.

**I. Request for Publication**

The instant application, filed on March 19, 2001, was inadvertently and unintentionally identified for non-publication at eighteen months from filing. Applicants respectfully request that

the instant application be published at eighteen months pursuant to 37 CFR §1.213, the non-

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publication request is hereby rescinded. Please charge any required fees to deposit account number 02-2334.

## **II. Petition for Revival of Unintentionally Abandoned Application**

### **A. Introduction and Basis for Petition**

Applicants original certification that the Application has not and would not be the subject of an application filed in another country, or under a multilateral international agreement, that requires eighteen-month publication was unintentionally in error. On or about March 19, 2002, a PCT application was filed claiming priority from the instant US application. The PCT procedures do provide for eighteen-month publication.

Applicants realized, on or about July 1, 2002, that a non-publication request had been filed in the instant case. Applicants can no longer comply with requesting publication within 45 days of the filing of the application that will publish in eighteen months from the earliest filing date, as required under 35 USC §122(b)(2)(B)(iii). Accordingly, while Applicants have not received a Notice of Abandonment from the Patent Office, the instant application is an otherwise abandoned application, pursuant to 35 USC §122(b)(2)(B)(iii). Therefore, Applicants respectfully petition the Commissioner to allow this case to publish at eighteen months from the earliest filing date and revival of the application, as the abandonment was unintentional. Applicants hereby authorize any required fees for this petition to be charged to deposit account number 02-2334.

### **B. Petition**

#### **(1) Compliance with Outstanding Action**

Applicants assert that they have complied with the publication requirement of 37 CFR §1.211.

**(2) Statement of Facts**

On or about March 19, 2001, the instant application, titled Method For Purification Of Molecules Using Unbranched Terminal Alkyldiols, was filed in the United States Patent and Trademark Office. The application was, at or about the same time, assigned to Covance Biotechnology Services, Inc. (hereinafter referred to as "Covance"), located at 6051 George Watts Hill Drive, Research Triangle Park, NC 27709-3865. The application was identified for non-publication and the certification was made that the assignee, Covance, was not going to file the application in any country where it would publish in eighteen months.

On or about June 15, 2001, Akzo Nobel, N.V., the assignee of the present invention, acquired Covance. At or about one year from the U.S. filing date, an international application was filed. In June of 2002, the application file for application serial number 09/813,093 was transferred from outside counsel to the undersigned attorney, William P. Ramey, III. After a reasonable investigation of the files, on or about July 1, 2002, the statement for non-publication was discovered. However, a PCT application, claiming priority from the U.S. case was unintentionally filed more than 45 days before the statement of non-publication was discovered. Accordingly, Applicants hereby petition Commissioner for revival and publication of the case. The entire delay from filing of the PCT application to the filing of this petition was unintentional.

**(3) Payment of Petition and other Fees**

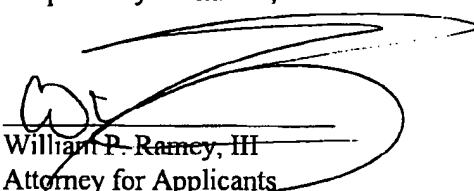
Please charge any required fees to deposit account number 02-2334, including, but not limited to, the petition fee set forth in 37 CFR §1.17(m) and any required publication fees.

**III. Conclusion**

Applicants respectfully request that application serial number 09/813,093 publish and that

the Commissioner, or his designee, grant the accompanying petition to revive the unintentionally abandoned application. Please charge any required fees to deposit account number 02-2334.

Respectfully submitted,



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